

From: Jack E. Uber II
To: Microsoft ATR
Date: 11/16/01 6:14am
Subject: Comments on Antitrust Actions Against Microsoft

Greetings,

First, I never agreed with the premise that Microsoft was a monopoly. By the very definition of a monopoly, a business entity has to own all or virtually all the factors of production for a given commodity to even qualify as a monopoly. Even using the most liberal accounting of the "factors of production" in this case, Microsoft fails this test. Unfortunately, the individuals involved in this case appear to have more emotion directed at Microsoft than dispassionate reason.

Second, in no reasonable way can anyone say that the consumer will benefit through ANY antitrust actions against Microsoft. The current level of accessibility to extremely powerful computers for all Americans would not have been possible if not for the efforts of Microsoft, IBM, Dell, and so on. Prior to the personal computer revolution, a single license of an operating system was priced somewhere around \$10,000. MS DOS, and then Windows, obliterated that pricing model and made computers available to virtually everyone.

Finally, it is clear to even the most casual observer that there have been several hidden agendas here. The reliance of the DoJ on testimony from the likes of Sun Microsystems and Oracle demonstrates either supreme naiveté or bias. Anyone who has ever read the rhetoric from the likes of Scott McNeely or Larry Ellison knows that they HATE Microsoft and, more to the point, Bill Gates. Using the same yardstick that was used against Microsoft, Sun Microsystems might find itself standing in front of a judge. Additionally, the extortion like tactics of the various states attorneys general is readily evident. Their only motivation is to gain monies from any action against Microsoft. They are doing a disservice to their constituents and the general public as a whole

Respectfully,

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